

OFFICE OF THE CITY MANAGER

NO.LTC# 392-20/3

LETTER TO COMMISSION

TO:

Mayor Matti Herrera Bower and Members of the City Commission

FROM:

Jimmy L. Morales, City Managers

DATE:

October 29, 2013

SUBJECT: CITY OF OPA-LOCKA RESOLUTION

Attached for your information is Resolution No. 13-8696, which was passed by the City of Opa-Locka on October 23, 2013.

A Resolution Urging And Encouraging The Florida Legislature To Repeal All Laws Which Deny The Restoration Of Voting Rights; Providing For Incorporation Of Recitals; Providing For An Effective Date

The City of Opa-Locka encourages the adoption of similar resolution by their surrounding municipalities.

If you have any questions, please contact the City Clerk's Office at 305.673.7411.

JLM/REG



Attachment

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RESOLUTION NO. 13-8696

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA TO URGING AND ENCOURAGING THE FLORIDA LEGISLATURE TO REPEAL ALL LAWS WHICH DENY THE RESTORATION OF VOTING RIGHTS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on March 9, 2011, the Florida Rules of Executive Clemency were toughened, as the automatic restoration of civil rights and the ability to vote was no longer granted for any convicted criminal offense; and

WHEREAS, Currently, all individuals convicted of any felony now need to apply for executive elemency after a five-year waiting period, and individuals convicted of certain felonies, such as murder, assault, child abuse, drug trafficking and arson are subject to a seven-year waiting period and a elemency board hearing to determine whether or not the ability to vote will be restored; and

WHEREAS, in 2010, an estimated 5.85 million people in the United States could not vote due to a felony conviction, an increase from the 2004 total of 5.26 million and the highest number since at least 1960; and

WHEREAS, as of 2010, Florida has disenfranchised 1,541,602 citizens due to a felony conviction, which amounts to the disenfranchisement of 10.12% of the state's voting age population and 23.3% of Florida's African-American voting age population, the highest in the nation; and

WHEREAS, in 38 states, most felons get voting rights restored automatically upon completion of his or her sentence, with some states making an exception for violent crimes; and

WHEREAS, once an individual has served his or her time, the scarlet letter precluding participation in our democracy should be removed from his or her head; and

WHEREAS, many ex-felons want to become involved in their communities, want to be able to cast their vote in an election and want to have a say in the government to make a difference in a very positive manner; and

WHEREAS, many people believe that the only reason not to let felons vote is to stigmatize them or to continue punishing them, and if allowed to vote, former criminals would be less likely to return to prison and more likely to become reintegrated into their communities; and

WHEREAS, voting is a fundamental right and a cornerstone of our democracy, yet millions of American have had their right to vote revoked for excessive periods of time; and

WHEREAS, the City Commission of the City of Opa-locka believe that the automatic restoration of voting rights will give a person a meaningful way to re-enter society, allow them to participate in our democracy, and incentivize good behavior

NOW, THEREFORE, BE IT DULY RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA LOCKA, FLORIDA:

Section 1. The recitals to the preamble are hereby incorporated by reference.

Section 2. The City Commission of City of Opa-locka, Florida, hereby strongly urge the Florida State Legislature to repeal all legislation that denies the restoration of voting.

Section 3. The City Clerk is hereby directed to transmit a certified coy of this Resolution to Governor Rick Scott: all State Representatives and State Senators; Michael Sittig, Executive Director of the Florida League of Cities, Inc.; Richard Kuper, Esq., Executive Director of the Miami-Dade County League of Cities, Inc.; and to the presiding officers and Council members of the municipalities in Miami-Dade County.

Section 4. The Mayor and the City Commission of the City of Opa-locka, Florida, hereby direct the City's state lobbyist to advocate for legislation set forth in Section 1.

This resolution shall take effect immediately upon adoption. Section 4.

PASSED AND ADOPTED this 23 day of Octobe	<u>r</u> , 2013,
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MAYOR

Attest to:

Joanna Flores City Clerk

Approved as to form and legal sufficiency

GREENSPOON MARDER PA

City Attorney

Moved by:

Commissioner Johnson

Seconded by:

Commissioner HOlmes

Commission Vote:

5-0

Commissioner Holmes:

YES

Commissioner Johnson:

YES

Commissioner Santiago:

YES

YES

Vice-Mayor Kelley:

Mayor Taylor:

YES